

FIFTY-SECOND DAY.

(Friday, May 8, 1931.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called, and the following members were present:

Mr. Speaker.	Hatchitt.
Adams of Harris.	Hefley.
Adams of Jasper.	Herzik.
Adamson.	Hill.
Adkins.	Holder.
Akin.	Holland.
Albritton.	Holloway.
Alsup.	Hoskins.
Anderson.	Howsley.
Baker.	Hubbard.
Barron.	Hughes.
Beck.	Jackson.
Bedford.	Johnson
Bond.	of Dallam.
Bounds.	Johnson
Boyd.	of Dimmit.
Bradley.	Johnson of Morris.
Brice.	Jones of Shelby.
Bryant.	Jones of Atascosa.
Burns of Walker.	Justiss.
Burns	Kayton.
of McCulloch.	Keller.
Carpenter.	Kennedy.
Caven.	Laird.
Claunch.	Lasseter.
Coltrin.	Lee.
Coombes.	Lemens.
Cox of Lamar.	Leonard.
Cox of Limestone.	Lilley.
Cunningham.	Lockhart.
Dale.	Long.
Daniel.	McCombs.
Davis.	McDougald.
DeWolfe.	McGill.
Donnell.	McGregor.
Dowell.	Magee.
Duvall.	Martin.
Dwyer.	Mathis.
Elliott.	Mehl.
Engelhard.	Metcalf.
Farmer.	Moffett.
Farrar.	Moore.
Ferguson.	Morse.
Finn.	Munson.
Fisher.	Murphy.
Forbes.	Nicholson.
Ford.	Olsen.
Gilbert.	O'Quinn.
Giles.	Patterson.
Goodman.	Petsch.
Graves.	Pope.
Greathouse.	Ramsey.
Grogan.	Ratliff.
Hanson.	Ray.
Harman.	Reader.
Harrison	Richardson.
of El Paso.	Rogers.

Rountree.	Terrell
Sanders.	of Val Verde.
Satterwhite.	Towery.
Savage.	Turner.
Scott.	Van Zandt.
Shelton.	Vaughan.
Sherrill.	Veatch.
Smith of Bastrop.	Wagstaff.
Smith of Wood.	Walker.
Sparkman.	Warwick.
Stephens.	Weinert.
Stevenson.	West of Coryell.
Steward.	West of Cameron.
Strong.	Westbrook.
Sullivant.	Wyatt.
Tarwater.	Young.
Terrell of Cherokee.	

Absent.

Dunlap.	Harrison
	of Waller.

Absent—Excused.

Brooks.	Hardy.
Dodd.	Hines.
Fuchs.	Wiggs.

A quorum was announced present.
Prayer was offered by the Rev.
John W. Holt, Chaplain.

LEAVES OF ABSENCE
GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Fuchs and Mr. Wiggs for today and tomorrow, on motion of Mr. Donnell.

Mr. Dodd for today and tomorrow, on motion of Mr. Graves.

Mr. Hines and Mr. Brooks for today, on motion of Mr. Ray.

Mr. Harrison of Waller for today and tomorrow, on motion of Mr. Mathis.

Mr. Gilbert was granted leave of absence for this afternoon and tomorrow, on motion of Mr. Towery, on account of important business.

The following members were granted leaves of absence on account of illness:

Mr. Hardy for today and tomorrow, on motion of Mr. Howsley.

Mr. Bradley for today and tomorrow, on motion of Mr. Wagstaff.

MOTION TO PRINT HOUSE
JOINT RESOLUTION NO. 3.

Mr. Donnell moved that House joint resolution No. 3, reported adversely, with a minority favorable report, be printed.

The motion was lost.

BILL ORDERED NOT PRINTED.

On motion of Mr. Johnson of Dallah, Senate bill No. 512 was ordered not printed.

RELATIVE TO ADDRESS BY THE HON. JOUETT SHOUSE.

Mr. McCombs offered the following resolution:

Whereas, The Hon. Jouett Shouse has accepted the invitation of the people of Texas to address the Legislature of Texas in joint session; and

Whereas, Tuesday evening, May 12, has been set aside for receiving our distinguished guest; and

Whereas, Mr. Shouse is one of the outstanding Democrats of the Nation, an authority on Democratic history, a politician of the school of Jefferson and Wilson, more intimately informed as to the present political outlook than any other man of our party; and

Whereas, The possibility and probability of victory being brought back to the Democratic party in the National elections of 1932 becomes increasingly strong as the lines of battle are drawn and public interest becomes aroused; and

Whereas, Mr. Shouse brings to the Democracy of Texas a message calculated to result in a closer and more binding co-operative sentiment in the ranks of our party; and

Whereas, It is the desire of the House of Representatives of Texas that our citizens be afforded the rare opportunity of receiving this message so to be brought to us; now, therefore, be it

Resolved, That a blanket invitation be, and it is hereby, extended to all the Democrats of our State to assemble with us on the evening of Tuesday, May 12, all ranks and classes of Democratic voters being hereby cordially invited and urged to assemble in unprecedented numbers to receive our distinguished guest and hear his message, to the end that such renewed courage and enthusiasm be aroused in our ranks as to drive from power our ancient enemy, the Republican party, which has so ruthlessly plundered our Nation and its people.

Signed—McCombs, Akin, Beck, Farmer, Keller, Forbes, Patterson, Bradley, Anderson, Hatchitt, Dwyer, Murphy, Westbrook, Greathouse, Mathis, Morse, Shelton, Hughes.

The resolution was read second time, and was adopted.

PROVIDING FOR JOINT SESSION OF HOUSE AND SENATE TO HEAR ADDRESS BY HON. JOUETT SHOUSE.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 46, Providing for a joint session of the House and Senate.

Whereas, The Hon. Jouett Shouse and Hon. Nellie Tayloe Ross of the National Democratic Executive Committee have been invited by the Forty-second Legislature to address this body; and

Whereas, Mr. Shouse has accepted the invitation and Mrs. Ross has declined, with much regret; and

Whereas, The hour set for the speaking of Mr. Shouse is 8 o'clock on the evening of May 12; now, therefore, be it

Resolved, That the House and Senate meet in joint session on that evening for the purpose of hearing the address and that the National Democratic Chairman and Chairwoman, Hon. Jed Adams of Dallas and Hon. Clara Driscoll Sevier of Austin; the Chairman of the State Democratic Committee, Hon. W. O. Huggins, and all other Democrats of the State, be invited to be present and to give a rousing Democratic reception to this distinguished exponent of Democratic principles and practices.

The resolution was read second time, and was adopted.

PROVIDING FOR JOINT SESSION OF HOUSE AND SENATE TO RECEIVE BUST OF GEORGE WASHINGTON.

Mr. Mathis offered the following resolution:

H. C. R. No. 60, Relative to Presentation of bust of George Washington.

Whereas, On February 22d, 1932, the passing years will have rounded out two full centuries since the birth of George Washington, the father of our country; and

Whereas, The last Congress of the United States enacted a law which provided, among other things, "that the people should observe the celebration of the two hundredth anniversary of the birth of George Wash-

ington in order that future generations of American citizens may live according to the example and precepts of his exalted life and character and thus perpetuate the American Republic"; and

Whereas, In pursuance of this laudable undertaking the Congress of the United States has appropriated over \$800,000 to carry this celebration to a successful conclusion; and

Whereas, Congress created the "United States George Washington Bicentennial Commission," composed of the President of the United States as chairman, the Vice-President, the Speaker of the House of Representatives, four members of the Senate and four members of the House of Representatives and other prominent citizens; and

Whereas, The government of the United States, through its Bicentennial Commission, is anxious to procure the whole-hearted co-operation of the public officials and the people of every State in the Union; and

Whereas, As a silent, though eloquent, request for that co-operation the Federal government, through the Bicentennial Commission, is presenting to the Governor of each State a bust of George Washington; and

Whereas, The bust for His Excellency, the Hon. Ross Sterling, Governor of Texas, is now in Austin ready for presentation to him; and

Whereas, The Legislature of the State of Texas is willing and anxious to render full co-operation in carrying forward the celebration of George Washington's birthday; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That a joint session of both bodies be set, and it is hereby set, on Friday, May 15, 1931, at 8 o'clock p. m. in the House of Representatives, for the purpose of presenting to His Excellency, the Hon. Ross Sterling, Governor of Texas, the aforesaid bust.

The resolution was read second time, and was adopted.

BILL LAID ON THE TABLE SUBJECT TO CALL.

On motion of Mr. Van Zandt, House bill No. 835 was laid on the table subject to call.

COMMENDING OBSERVATION OF MOTHERS' DAY.

Mr. Howsley offered the following resolution.

Whereas, The sentiment of this State places its womanhood at the head of its civilization and the motherhood of Texas above all its other cherished ideals and has designated Sunday, May 10, as Mothers' Day; and

Whereas, The civilizations of all the peoples of this earth have been and may be measured by the standards they have and do set for their womanhood; and

Whereas, The highest type of womanhood in all the tide of time has been motherhood; and

Whereas, The manhood of Texas realizes that the motherhood of this State has been the major contributing cause to all its greatness, goodness and achievements, and that she will through all the coming years be such major contributing cause; and

Whereas, The place is opportune and the time a proper one for the manhood of this State to express its admiration for and devotion to the motherhood of our State, and to say to them that if the sons of Texas have accomplished more than those of her sister States it has been because they were sprung from the noblest womanhood of this earth; therefore, be it

Resolved by the House of Representatives of the State of Texas, That we approve this sentiment, honor ourselves by observing it and commend its observation to those who are to come after us; be it further

Resolved, That a copy of this resolution be given to the press of Texas with the request that it be published as our message of love, admiration and devotion to the incomparable motherhood of Texas.

HOWSLEY,
McGREGOR,
O'QUINN.

The resolution was read second time, and was adopted.

RELATIVE TO INCREASING THE USE OF COTTON.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 30, Relative to encouraging the use of more cotton and cotton goods in our State institutions.

Whereas, Cotton is a great agricultural product of Texas; and

Whereas, Agriculture of Texas has been greatly depressed because of inadequate prices being paid for farm products, particularly for cotton; and

Whereas, We deem it the duty of every Texan and the people of the cotton-growing States to facilitate and encourage the use of more cotton; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That we urge the Governor of Texas, Hon. Ross Sterling, and the Board of Control, to hereafter specify in letting contracts for binding twine, bags, sacks and other containers, that the same be limited to cotton products and to sacks and twine made from cotton and, wherever feasible, that the stationery be likewise of cotton paper; be it further

Resolved, That the Board of Prison Commissioners of the State of Texas be, and are hereby, memorialized to wrap the cotton crop of 1931 and thereafter in cotton bagging instead of jute or other material.

MARTIN,
LOY.

The resolution was read second time.

On motion of Mr. Young, the resolution was referred to the Committee on Agriculture.

RELATIVE TO CONSTRUCTING MONUMENT BY THE TEXAS BAR ASSOCIATION.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 45, Relative to monument to the memory of certain judges of the Supreme Court.

Whereas, The State Bar Association perfected plans at its last annual meeting in San Antonio to build a monument to the memory of the first three judges of the Supreme Court of Texas upon the State Capitol grounds; and

Whereas, Said association is now engaged in collecting from its members the funds with which to build the monument and have executed the plans, desire to let the contract and are almost ready to begin work; and

Whereas, This monument will be a thing of beauty and will adequately memorialize the first three members of the Supreme Court, and will be an inspiration to this and future generations; it will express in a substantial way the gratitude of the Bar of this day in Texas to those members of the profession who immortalized the pages of our early history; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That permission be granted to the State Bar Association, through its duly authorized agents, to construct said monument at some suitable place upon the Capitol grounds in Austin, said location to be agreed upon by the representatives of the Bar Association and the State Board of Control.

The resolution was read second time.

Mr. Pope moved that the resolution be referred to the Committee on Public Lands and Buildings.

Mr. DeWolfe moved to table the motion to refer, and the motion to table was lost.

Question then recurring on the motion to refer the resolution, it prevailed.

PROVIDING FOR COMMITTEE IN REGARD TO CONSOLI- DATING CERTAIN STATE DEPARTMENTS.

The Speaker laid before the House for consideration at this time, House concurrent resolution No. 58, providing for committee in regard to consolidating certain State departments, the resolution having heretofore been read second time and referred to the Committee on State Affairs.

Mr. Justiss moved to table the resolution, and the motion to table was lost.

Question then recurring on the resolution, it was adopted.

BILL AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bill and resolution:

H. B. No. 332, "An Act to amend Section 16a of Article 8308, Revised Statutes of 1925, so as to hereafter provide that whenever the Texas Employers' Insurance Association shall have accumulated, at the end of any calendar year, an admitted surplus in excess of incurred losses, expenses and unearned premiums or other liabilities amounting to the sum of \$200,000 or more, the liability of its members to assessment under Article 8308, Section 15, shall be suspended and it shall be authorized to issue policies not subject to assessment, etc., and declaring an emergency."

H. J. R. No. 26, Proposing an amendment to Article 6 of the Constitution of the State of Texas by adopting a new section, which shall provide that only qualified electors owning taxable property in the State, county, district, political subdivision, city, town or village where the election is held and which has been duly rendered for taxation shall be qualified to vote at elections held for the purpose of issuing bonds or otherwise lending credit, or expending money, or assuming debt therein.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 31, A bill to be entitled "An Act to amend Section 16, Senate bill No. 11, Chapter 42, General Laws of the Second Called Session of the Thirty-first Legislature."

S. B. No. 378, A bill to be entitled "An Act creating a division under the State Department of Agriculture, etc., and declaring an emergency."

S. B. No. 383, A bill to be entitled "An Act providing for the adoption of minors, establishing legal relations between the children and adopted parents, and repealing Title 3, of the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency."

S. B. No. 415, A bill to be entitled "An Act to provide two hundred thousand dollars (\$200,000), or as much thereof as may be necessary of the appropriation made by Acts of the Forty-first Legislature, Third Called Session, Chapter 14, to be used for the payment of tuition of rural high school pupils; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 332, A bill to be entitled "An Act to amend Section 16a of Article 8308, Revised Statutes of 1925, so as to hereafter provide that whenever the Texas Employers' Insurance Association shall have accumulated, at the end of any calendar year, an admitted surplus in excess of incurred losses, expenses and unearned premiums or other liabilities amounting to \$200,000 or more, the liability of its members to assessment under Article 8308, Section 15,

shall be suspended and it shall be authorized to issue policies not subject to assessment, etc., and declaring an emergency."

Respectfully,
BOB BARKER,
Secretary of the Senate.

HOUSE JOINT RESOLUTION NO. 9 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. J. R. No. 9, Amendment to Article 3, Section 48, of the Constitution of the State of Texas.

The resolution was read third time. On motion of Mr. Holder, the resolution was laid on the table subject to call.

HOUSE JOINT RESOLUTION NO. 37 ON SECOND READING.

The Speaker laid before the House, on its second reading,

H. J. R. No. 37, Proposing to repeal Article 5 of the Constitution of the State of Texas, the same being the article creating the Judiciary Department of the State, and to adopt and enact a new Article 5 in lieu thereof, reorganizing the Judiciary Department of the State of Texas.

The resolution was read second time.

On motion of Mr. McGregor, the resolution was laid on the table subject to call.

HOUSE JOINT RESOLUTION NO. 38 ON SECOND READING.

The Speaker laid before the House, on its second reading,

H. J. R. No. 38, Proposing to amend Article 8 of the Constitution of Texas by adding Section 18a, so as to classify certain interest-bearing bonds, warrants, notes and debentures as intangible personal property; providing for registration and tax.

The resolution was read second time.

On motion of Mr. Johnson of Dimmit, the resolution was laid on the table subject to call.

HOUSE JOINT RESOLUTION NO. 39 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. J. R. No. 39, Proposing to amend Section 8 of the Constitution of the State of Texas, so as to provide that the Legislature may impose a progressive income tax on the incomes

of both natural persons and corporations, other than municipal, carrying a graduated scale of rates.

The resolution was read second time.

Mr. Vaughan offered the following amendment to the resolution:

Amend House joint resolution No. 39, page 3, line 19, by changing date of election to first Tuesday after first Monday in November, 1932, and by striking out Section 4.

The amendment was adopted.

Mr. Harrison of El Paso offered the following amendment to the resolution:

Amend House joint resolution No. 39 by inserting after the word "corporations," line 36, page 1, the following: "but shall never exceed ten per cent of the net income earned in any one year."

(Mr. McGill in the chair.)

The amendment was adopted.

Mr. Harrison of El Paso offered the following amendment to the resolution:

Amend House joint resolution No. 39 by striking out subdivision (d), beginning on page 2, and ending page 3, and insert in lieu thereof the following: "an ad valorem tax upon property not to exceed ten cents on the \$100 valuation may be imposed by the State for its benefit for any period with respect to which an income tax is imposed."

Mr. Donnell offered the following substitute for the amendment:

Amend House joint resolution No. 39 by striking out all of subsection (d), Section 1.

Mr. Patterson moved the previous question on the pending amendment and the resolution, and the main question was ordered.

Question recurring on the amendment by Mr. Donnell, it was lost.

Question recurring on the amendment by Mr. Harrison of El Paso, it was lost by the following vote:

Yeas—47.

Adams of Harris.	Dwyer.
Adams of Jasper.	Elliott.
Adamson.	Farmer.
Anderson.	Finn.
Baker.	Graves.
Barron.	Greathouse.
Bounds.	Harman.
Brice.	Harrison
Burns	of El Paso.
of McCulloch.	Hatchitt.
Coombes.	Hefley.

Hill.	Moffett.
Holland.	Munson.
Holloway.	Nicholson.
Jackson.	Olsen.
Johnson	Ray.
of Dallam.	Satterwhite.
Justiss.	Scott.
Keller.	Stevenson.
Laird.	Steward.
Lemens.	Tarwater.
Lockhart.	Vaughan.
Long.	Walker.
McCombs.	Warwick.
Martin.	West of Coryell.

Nays—64.

Adkins.	Johnson
Akin.	of Dimmit.
Albritton.	Johnson of Morris.
Alsup.	Jones of Shelby.
Bedford.	Jones of Atascosa.
Boyd.	Kennedy.
Bryant.	Lasseter.
Burns of Walker.	Lee.
Carpenter.	Lilley.
Caven.	Magee.
Claunch.	Mathis.
Coltrin.	Moore.
Cox of Lamar.	Morse.
Cox of Limestone.	Murphy.
Dale.	Patterson.
Daniel.	Petsch.
Davis.	Ratliff.
Donnell.	Richardson.
Dowell.	Rogers.
Engelhard.	Rountree.
Farrar.	Sanders.
Ferguson.	Smith of Bastrop.
Fisher.	Smith of Wood.
Forbes.	Sparkman.
Ford.	Stephens.
Giles.	Strong.
Goodman.	Sullivant.
Grogan.	Turner.
Hanson.	Veatch.
Herzik.	Weinert.
Hoskins.	West of Cameron.
Hubbard.	Young.
Hughes.	

Absent.

Beck.	McGregor.
Bond.	Mehl.
Bradley.	Metcalf.
Cunningham.	O'Quinn.
DeWolfe.	Pope.
Dunlap.	Ramsey.
Duvall.	Reader.
Gilbert.	Savage.
Harrison	Shelton.
of Waller.	Sherrill.
Holder.	Terrell
Howsley.	of Cherokee.
Kayton.	Terrell
Leonard.	of Val Verde.
McDougald.	Towery.

Van Zandt. Westbrook.
Wagstaff. Wyatt.

Absent—Excused.

Brooks. Hardy.
Dodd. Hines.
Fuchs. Wiggs.

(Speaker in the chair.)

House joint resolution No. 39 was then passed to engrossment by the following vote:

Yeas—94.

Adams of Jasper.	Kennedy.
Adamson.	Laird.
Adkins.	Lasseter.
Akin.	Lee.
Albritton.	Lemens.
Alsup.	Leonard.
Barron.	Lilley.
Bounds.	Lockhart.
Boyd.	Long.
Brice.	McDougald.
Bryant.	McGill.
Burns of Walker.	McGregor.
Carpenter.	Magee.
Caven.	Martin.
Claunch.	Mathis.
Coltrin.	Metcalfe.
Cox of Lamar.	Moffett.
Cox of Limestone.	Murphy.
Dale.	Olsen.
Daniel.	O'Quinn.
Davis.	Petsch.
Dowell.	Ratliff.
Engelhard.	Ray.
Farmer.	Richardson.
Farrar.	Rogers.
Finn.	Rountree.
Fisher.	Sanders.
Forbes.	Satterwhite.
Ford.	Scott.
Giles.	Sherrill.
Goodman.	Smith of Bastrop.
Graves.	Smith of Wood.
Harrison	Sparkman.
of El Paso.	Stephens.
Hatchitt.	Steward.
Herzik.	Strong.
Hill.	Sullivant.
Holloway.	Tarwater.
Hoskins.	Turner.
Howsley.	Van Zandt.
Hubbard.	Veatch.
Hughes.	Walker.
Johnson	Warwick.
of Dimmit.	Weinert.
Johnson of Morris.	West of Coryell.
Jones of Shelby.	West of Cameron.
Jones of Atascosa.	Westbrook.
Justiss.	Young.

Nays—26.

Adams of Harris.	Bedford.
Anderson.	Burns
Baker.	of McCulloch.

Coombes.	Jackson.
DeWolfe.	Kayton.
Donnell.	Keller.
Duval.	McCombs.
Elliott.	Morse.
Ferguson.	Munson.
Greathouse.	Patterson.
Grogan.	Stevenson.
Harman.	Vaughan.
Hefley.	Wagstaff.
Holland.	

Present—Not Voting.

Hanson.	Nicholson.
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Absent.

Beck.	Moore.
Bond.	Pope.
Bradley.	Ramsey.
Cunningham.	Reader.
Dunlap.	Savage.
Dwyer.	Shelton.
Gilbert.	Terrell
Harrison	of Cherokee.
of Waller.	Terrell
Holder.	of Val Verde.
Johnson	Towery.
of Dallam.	Wyatt.
Mehl.	

Absent—Excused.

Brooks.	Hardy.
Dodd.	Hines.
Fuchs.	Wiggs.

Reason for Vote.

I vote "nay" on House joint resolution No. 39, although I am in favor of allowing the Legislature to levy a graduated income tax, for the reason that I believe it would be disastrous to the State to abolish absolutely the State ad valorem tax and have to depend on an income tax to raise the necessary amount of money to maintain the government. A State income tax is an untried proposition in Texas and no one knows how much money it will raise, and it seems to me to be an extremely bad policy to shift immediately to an untried tax the major portion of the support of the government.

MUNSON.

CONFERENCE COMMITTEE ON SENATE BILL NO. 72.

On motion of Mr. Leonard, the House granted the request of the Senate for the appointment of a conference committee on Senate bill No. 72.

The Speaker then announced the appointment of the following committee on the part of the House: Messrs. Leonard, Pope, West of Cameron, Davis and Keller.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 31, to the Committee on Highways and Motor Traffic.

Senate bill No. 378, to the Committee on Agriculture.

Senate bill No. 383, to the Committee on Criminal Jurisprudence.

Senate bill No. 415, to the Committee on Appropriations.

Senate bill No. 484, to the Committee on Privileges, Suffrage and Elections.

Senate bill No. 499, to the Committee on Judiciary.

Senate bill No. 619, to the Committee on Judicial Districts.

COMMUNICATION FROM THE CHAIRMAN OF THE LIONS CLUB OF AUSTIN.

The Speaker laid before the House and had read, the following communication:

Austin, Texas, May 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives, Austin, Texas.

Dear Mr. Minor: The Lions Club of Austin will give a vaudeville review at the Senior High School Auditorium two nights, May 8 and 9, at 8:15 p. m. The price of these tickets is fifty cents per person. The profit derived from this show will be put in a special fund to pay the expenses of a blind girl, Miss Tina Lou Wallace, through the University. This is a very laudable undertaking and I feel sure the members of the House will approve of it and would like to go to this vaudeville review.

I will appreciate it very much if you will read this letter before the House.

Sincerely yours,

FRED BARGE,

Chairman Lions Club Benefit Vaudeville Review.

RECESS.

On motion of Mr. Albritton, the House at 12 o'clock m. took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, May 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 47, Relating to joint session of House and Senate to accept bust of George Washington.

The Senate has refused to concur in House amendments to Senate bill No. 72 and requests the appointment of a conference committee. The following have been appointed on part of the Senate: Messrs. Parr, Woodul, Russek, Hopkins and Gainer.

The Senate has passed

H. B. No. 39, A bill to be entitled "An Act to amend Chapter 29, Acts of the First Called Session of the Forty-first Legislature, relating to the selection of jurors in certain counties; providing for the appointment of jury commissioners to select jurors; providing the qualifications of said commissioners, etc., and declaring an emergency."

H. B. No. 717, A bill to be entitled "An Act to regulate the method of taking or catching fish in the public fresh waters in Morris and Titus counties, State of Texas; providing penalties for violation; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 845, A bill to be entitled "An Act providing for the employment of a rural school supervisor in counties having a population of not less than 53,900 and not more than 54,000; providing for their duties, salaries, expenses and qualifications; providing that counties accepting the benefits of this act shall not be required to hold teachers' institutes, but providing that the county superintendent may call meetings of teachers within his jurisdiction, and declaring an emergency," with amendments.

H. B. No. 943, A bill to be entitled "An Act to prohibit the hunting, trapping, ensnaring, killing or possessing of any wild quail of any species or any wild turkey, or either of them, within the limits of the coun-

ties of Atascosa and Frio, State of Texas, for a period of five years from and after the passage of this act, etc., and declaring an emergency," with amendments.

H. B. No. 986, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in co-operation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose, and declaring an emergency."

S. B. No. 484, A bill to be entitled "An Act to amend Article 3079, Chapter 11, Title 50, of the Revised Civil Statutes of Texas, 1925, and adding thereto Articles 3079a, 3079b and 3079c, providing for the time that electors may be chosen for President and Vice-President of the United States; the manner in which they may be elected, and how the returns shall be canvassed, and providing for the making of certificates to the Secretary of State by the chairman of the State Committee of said party and designating the time in which said certificates shall be made."

S. B. No. 499, A bill to be entitled "An Act to amend Article 1840 by adding thereto another section, to be known as Article 1840a, providing that when an appeal has been taken and the bond or recognizance is defective, the Appellate Court may allow the appellant to amend such bond or recognizance by filing a new bond; providing the time, means and manner thereof, and declaring an emergency."

S. B. No. 619, A bill to be entitled "An Act to amend House bill No. 59, Acts of the Regular Session of the Forty-second Legislature, and declaring an emergency."

The Senate has concurred in

House amendments to Senate bill No. 393, by a viva voce vote.

House amendments to Senate bill No. 539 by the following vote: yeas 30, nays 0.

House amendments to the following bills: Senate bill No. 393, viva voce vote; Senate bill No. 539, yeas 30, nays 0.

Respectfully,
BOB BARKER,
Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 311.

Mr. Moffett, chairman, submitted the following conference committee report on Senate bill No. 311:

Committee Room,
Austin, Texas, May 7, 1931.

Hon. Edgar E. Witt, President of the Senate, and Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your conference committee on Senate bill No. 311, appointed to adjust the differences between the House and the Senate on same, beg leave to report that we have agreed upon the differences between the two houses and recommend the following bill to be adopted:

A BILL To Be Entitled

An Act to amend Article 7324 of the Revised Civil Statutes of 1925, providing for collectors of taxes to mail notices of tax delinquencies to record owners of lands and lots situated in the county, showing the amount of taxes delinquent on said property; and providing for delivering of copies of said notices to county attorneys; and providing that upon payment of delinquent taxes the collector of taxes shall issue receipts for such payments; and to amend Article 7336 of the Revised Civil Statutes, 1925, providing the time when taxes shall become due, and when they become delinquent; and providing a penalty for non-payment of said taxes, and for interest upon said taxes; and providing for the making up of triplicate lists of lands and lots on which taxes are delinquent, and for presenting said lists to the commissioners court for examination and correction, and for said court's approving said list, and for filing said list with the county clerk, and for filing said list with the Comptroller of Public Accounts, and retaining and preserving one by the collector of taxes; and providing that the rolls and books in the collector's office and the list of assessment rolls or books shall become prima facie evidence that the requirements of law have been complied with as to the regularity of listing, assessing, levying of taxes

therein mentioned and reporting as delinquent any real estate whatsoever, and that the amount alleged is a true and correct charge; and providing that the inventories of the tax assessor's office shall be admissible as evidence of the description of the property; and further providing that the Comptroller of Public Accounts shall prescribe forms for tax rolls and for receipts, reports and other forms to be used by the assessors and collectors of taxes; and providing that all laws in conflict with this act are repealed, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 7324 of the Revised Civil Statutes, 1925, be, and the same is hereby, amended so as hereafter to read as follows:

"Article 7324: During the month of July of each year, or as soon thereafter as practicable, the collector of taxes in each county of this State shall mail to the tax roll address of each owner of any lands or lots situated in the county a notice showing the amount of taxes delinquent or past due and unpaid against all such lands and lots as shown by the delinquent tax record of the county on file in the office of the tax collector, a duplicate of which shall also have been filed in the office of the Comptroller of the State and approved by such office, but failure to send or receive such notice shall be no defense to a suit brought for taxes. Such notice shall also contain a brief description of the lands and lots appearing delinquent and the various sums or amounts due against such lands and lots for each year as they appear to be delinquent, according to such records, and it shall also recite that unless the owner of such lots or land described therein shall pay to the tax collector the amount of taxes, interest, penalties and costs set forth in such notice within thirty days from the date of notice, that the county or district attorney will institute suits for the collection of such moneys and for the foreclosure of the constitutional lien against such lands and lots. Each tax collector, as soon after mailing such notice as practicable, shall furnish to the county or district attorney duplicates of all such notices mailed to the taxpayers in accordance with the provisions of this law, and also, lists of lands and lots

located in the county appearing on the delinquent tax records in the name of 'unknown' or 'unknown owners,' or in the name of persons whose correct address or place of residence in or out of the county said collector is unable by the use of diligence to discover or ascertain, against which taxes are delinquent, past due, and unpaid, and such lists or statements shall show the amount of State and county taxes delinquent, past due, and unpaid against each such tract or lot of land for each year they appear to be delinquent according to the delinquent tax records of the county, and shall likewise contain a brief description of all such lands and lots. The tax collector shall furnish on demand of any person, firm or corporation like statements with reference to any particular lot or tract of land for whatever purpose desired, which shall be in all instances certified by him with the seal of his office attached. Whenever any person, or persons, firm or corporation shall pay to the tax collector all the taxes, interest, penalties and costs shown by the delinquent tax records of the county to be due and unpaid against any tract, lot or parcel of land for all the years for which taxes may be shown to be due and unpaid, prior to the institution of suit for the collection thereof the tax collector shall issue to such person or persons, firm or corporation a receipt covering such payment as is now required by law."

Provided, that if the House bill No. 331, pending in the Senate, becomes a law, then the provisions of this Article 7324, so far as they may conflict with said law, shall be controlled by the provisions of said law.

Sec. 2. That Article 7336 of the Revised Civil Statutes, State of Texas (revision of 1925) be and the same is hereby amended so as hereafter to read as follows:

"Article 7336: That if any person shall pay on or before November 30 next succeeding the return of the assessment rolls of the county to the Comptroller of Public Accounts one-half of the taxes imposed by law on him or his property, then he shall have until and including the 30th day of the succeeding June within which to pay the other one-half of his said taxes without penalty or interest thereon during said time.

"If said taxpayer after paying said one-half of his taxes on or before No-

vember 30, as hereinbefore provided, shall fail or refuse to pay on or before June 30 next succeeding said November the other one-half of his said taxes, a penalty of ten per centum on the amount of said unpaid taxes shall accrue thereon.

"If any person fails to pay one-half of the taxes imposed by law upon him or his property on or before the 30th day of November next succeeding the return of the assessment rolls of the county to the Comptroller of Public Accounts then unless he pays all of the taxes imposed by law on him or his property on or before the 31st day of the succeeding January, a penalty of ten per centum on all of said taxes shall accrue thereon.

"Provided, that if any person fails to pay all the poll taxes imposed by law upon him until after the thirty-first day of January next succeeding the return of the assessment rolls of the county to the Comptroller, a penalty of ten per centum of such taxes shall accrue thereon.

"All taxes affected by this article shall bear interest at the rate of six per centum per annum from the date a penalty accrues thereon.

"All penalties provided in this act, shall, when collected, be paid to the State and the county, and to the districts, if any, in proportion to the taxes upon which the penalties are collected.

"The collector of taxes shall, as of the first day of July of each year for which any State and county taxes for the preceding year remain unpaid, make up a list of the lands and lots on which any taxes for such preceding years are delinquent, charging against the same all unpaid taxes and penalties assessed against the owner thereof.

"Said list shall be made in triplicate and shall be presented to the commissioners court for examination and correction of any errors that may appear, and when so examined and corrected by the commissioners court such lists in triplicate shall be approved by said court, and one copy thereof shall be filed with the county clerk, and one copy retained and preserved by the collector and one copy forwarded to the Comptroller with his annual settlement reports. Such lists as furnished by the tax collector and corrected by the commissioners court, and the rolls or books on file in the

collector's office, or either said list or assessment rolls or books, shall be prima facie evidence that all the requirements of the law have been complied with by the officers of courts charged with any duty thereunder as to regularity of listing, assessing, levying all taxes therein mentioned and reporting as delinquent any real estate whatsoever, and that the amount alleged against said real estate is a true and correct charge; and, in cases in which the description of the real estate in said list or assessment rolls or books is not sufficient to identify the same, and of which property there is a sufficient description in the inventories of the assessor's office, then said inventories shall be admissible as evidence of the description of said property."

Sec. 3. It shall be the duty of the Comptroller of Public Accounts to prescribe such forms for tax rolls to be used by the county tax assessors as may make it convenient for the collectors of taxes to note thereon the payment of taxes under the semi-annual installment payments provided for in this act; and to prescribe such forms for receipts, and reports and such other forms for the use of the collectors of taxes as in his opinion may be advisable. This provision is cumulative of all other provisions of the statutes of the State prescribing the duties of the Comptroller of Public Accounts.

Sec. 4. No taxes now delinquent shall be in any way affected by this act but shall remain due and delinquent until paid with the penalty thereon and bear interest the same as if this act had not been enacted. And this act shall in no way affect the act enacted by this the Forty-second Legislature, known as Senate bill No. 8, but the taxes for the year 1930 affected by said Senate bill No. 8 shall continue to bear interest and be subject to the penalty provided in said Senate bill No. 8 as if this act had not been enacted.

Sec. 5. All laws in conflict herewith are hereby repealed.

Sec. 6. The fact that the assessors of taxes of the State should have forms prescribed by the Comptroller to prepare their assessment rolls for the taxes of the year 1931, and the fact that the Comptroller of Public Accounts should have authority to prescribe these forms in time for the assessment rolls to be made up by

the assessor of taxes during the summer of 1931 in order that the tax collectors may be able properly to credit payments of the semi-annual installments of taxes on said rolls under the provisions of this act, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

ONEAL,
PARRISH,
WOODWARD,
POAGE,
DeBERRY,

On the part of the Senate;

MOFFETT,
KELLER,
DeWOLFE,
JOHNSON of Dimmit,
STEVENSON,

On the part of the House.

On motion of Mr. Burns of Walker, further consideration of the report was postponed and the report was ordered printed in the Journal.

HOUSE BILL NO. 39, WITH SENATE AMENDMENTS.

Mr. Harman called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 39, A bill to be entitled "An Act to amend Chapter 29, Acts of the First Called Session of the Forty-first Legislature, relating to the selection of jurors in certain counties; providing for the appointment of jury commissioners to select jurors; providing the qualifications of said commissioners, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Harman, the House concurred in the Senate amendment by the following vote:

Yeas—105.

Adams of Jasper.	Anderson.
Adamson.	Baker.
Adkins.	Barron.
Akin.	Bounds.
Albritton.	Brice.
Alsop.	Bryant.

Burns	Keller.
of McCulloch.	Kennedy.
Carpenter.	Laird.
Caven.	Lemens.
Claunch.	Lilley.
Coltrin.	Lockhart.
Coombes.	McDougald.
Cox of Lamar.	McGill.
Cox of Limestone.	McGregor.
Dale.	Magee.
Davis.	Martin.
Donnell.	Mathis.
Dowell.	Moffett.
Duvall.	Moore.
Elliott.	Munson.
Engelhard.	Murphy.
Farmer.	Nicholson.
Farrar.	Olsen.
Ferguson.	Patterson.
Finn.	Petsch.
Fisher.	Pope.
Forbes.	Ramsey.
Ford.	Ray.
Giles.	Rogers.
Goodman.	Rountree.
Graves.	Sanders.
Greathouse.	Satterwhite.
Grogan.	Savage.
Hanson.	Shelton.
Harman.	Sherrill.
Harrison	Smith of Bastrop.
of El Paso.	Smith of Wood.
Hefley.	Sparkman.
Hill.	Stephens.
Holder.	Stevenson.
Holland.	Steward.
Holloway.	Strong.
Hoskins.	Tarwater.
Howsley.	Van Zandt.
Hughes.	Vaughan.
Jackson.	Veatch.
Johnson	Wagstaff.
of Dallam.	Walker.
Johnson	Warwick.
of Dimmit.	Weinert.
Johnson of Morris.	West of Coryell.
Jones of Shelby.	West of Cameron.
Jones of Atascosa.	Westbrook.
Justiss.	

Absent.

Adams of Harris.	Herzik.
Beck.	Hubbard.
Bedford.	Kayton.
Bond.	Lasseter.
Boyd.	Lee.
Burns of Walker.	Leonard.
Cunningham.	Long.
Daniel.	McCombs.
DeWolfe.	Mehl.
Dunlap.	Metcalfe.
Dwyer.	Morse.
Gilbert.	O'Quinn.
Harrison	Ratliff.
of Waller.	Reader.
Hatchitt.	Richardson.

Scott.
Sullivant.
Terrell
of Cherokee.
Terrell
of Val Verde.

Towery.
Turner.
Wyatt.
Young.

Absent—Excused.

Bradley.
Brooks.
Dodd.
Fuchs.

Hardy.
Hines.
Wiggs.

HOUSE BILL NO. 943, WITH SENATE AMENDMENTS.

Mr. Jones of Atascosa called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 943, A bill to be entitled "An Act to prohibit the hunting, trapping, ensnaring, killing or possessing of any wild quail of any species or any wild turkey, or either of them, within the limits of the counties of Atascosa and Frio, State of Texas, for a period of five years from and after the passage of this act, etc., and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Jones of Atascosa, the House concurred in the Senate amendments by the following vote:

Yeas—103.

Mr. Speaker.	Duvall.
Adams of Jasper.	Elliott.
Adamson.	Engelhard.
Adkins.	Farrar.
Akin.	Ferguson.
Albritton.	Fisher.
Alsup.	Forbes.
Anderson.	Ford.
Baker.	Giles.
Bedford.	Goodman.
Bond.	Graves.
Bounds.	Greathouse.
Brice.	Grogan.
Bryant.	Hanson.
Burns of Walker.	Harman.
Burns	Hefley.
of McCulloch.	Hill.
Caven.	Holder.
Claunch.	Holland.
Coltrin.	Holloway.
Coombes.	Hoskins.
Cox of Lamar.	Howsley.
Dale.	Jackson.
Davis.	Johnson
Donnell.	of Dallam.
Dowell.	Johnson of Morris.

Jones of Shelby.
Jones of Atascosa.
Justiss.
Keller.
Kennedy.
Laird.
Lemens.
Lilley.
Lockhart.
McDougald.
McGill.
Magee.
Martin.
Mathis.
Mehl.
Moffett.
Moore.
Morse.
Munson.
Murphy.
Olsen.
Patterson.
Petsch.
Ramsey.
Ray.
Reader.
Richardson.

Rogers.
Rountree.
Sanders.
Satterwhite.
Savage.
Shelton.
Sherrill.
Smith of Bastrop.
Smith of Wood.
Sparkman.
Stephens.
Stevenson.
Steward.
Strong.
Tarwater.
Van Zandt.
Vaughan.
Veatch.
Wagstaff.
Walker.
Warwick.
Weinert.
West of Coryell.
West of Cameron.
Westbrook.
Young.

Present—Not Voting.

Farmer.

Absent.

Adams of Harris.	Kayton.
Barron.	Lasseter.
Beck.	Lee.
Boyd.	Leonard.
Carpenter.	Long.
Cox of Limestone.	McCombs.
Cunningham.	McGregor.
Daniel.	Metcalf.
DeWolfe.	Nicholson.
Dunlap.	O'Quinn.
Dwyer.	Pope.
Finn.	Ratliff.
Gilbert.	Scott.
Harrison	Sullivant.
of El Paso.	Terrell
Harrison	of Cherokee.
of Waller.	Terrell
Hatchitt.	of Val Verde.
Herzik.	Towery.
Hubbard.	Turner.
Hughes.	Wyatt.
Johnson	
of Dimmit.	

Absent—Excused.

Bradley.	Hardy.
Brooks.	Hines.
Dodd.	Wiggs.
Fuchs.	

BILL AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due

notice thereof and their captions had been read severally, the following enrolled bill and resolution.

S. B. No. 172, "An Act to reorganize the Fourth Judicial District of Texas."

S. C. R. No. 46, Relative to address by the Hon. Jouett Shouse.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

H. C. R. No. 59, Authorizing the Enrolling Clerk of the House to correct the caption of House bill No. 470.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 261 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 261, A bill to be entitled "An Act imposing an occupation tax upon wholesalers, as defined herein, of oleomargarine and other substitutes for butter, as defined herein; providing the amount of the tax and the time, method and manner of paying the same; providing that the same shall be placed one-fourth to the credit of the available public school fund and the remainder to the general revenue fund, etc., and declaring an emergency."

The bill was read second time.

(Mr. Sanders in the chair.)

Mr. Engelhard offered the following amendment to the bill:

Amend House bill No. 261, page 2, Section 3, line 3, by striking out the word "three" and inserting the word "five."

Mr. Lemens moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—48.

Bounds.	Jones of Shelby.
Brice.	Jones of Atascosa.
Burns of Walker.	Keller.
Carpenter.	Kennedy.
Claunch.	Lilley.
Coltrin.	Lockhart.
Cox of Lamar.	Long.
Cox of Limestone.	McGregor.
Dale.	Martin.
Donnell.	Moore.
Elliott.	Olsen.
Engelhard.	O'Quinn.
Farrar.	Pope.
Finn.	Ray.
Fisher.	Rogers.
Forbes.	Shelton.
Ford.	Stephens.
Giles.	Steward.
Grogan.	Strong.
Hatchitt.	Tarwater.
Herzik.	Wagstaff.
Hubbard.	Warwick.
Johnson	West of Coryell.
of Dimmit.	Westbrook.
Johnson of Morris.	

Nays—56.

Adams of Jasper.	Johnson
Adamson.	of Dallam.
Adkins.	Justiss.
Akin.	Laird.
Albritton.	Lemens.
Alsup.	McCombs.
Baker.	McGill.
Beck.	Magee.
Bryant.	Mehl.
Burns	Morse.
of McCulloch.	Munson.
Coombes.	Murphy.
Davis.	Nicholson.
Dowell.	Patterson.
Duvall.	Petsch.
Farmer.	Ramsey.
Ferguson.	Reader.
Goodman.	Richardson.
Graves.	Rountree.
Greathouse.	Sanders.
Hanson.	Savage.
Harrison	Sherrill.
of El Paso.	Smith of Bastrop.
Hefley.	Smith of Wood.
Hill.	Sparkman.
Holland.	Stevenson.
Howsley.	Sullivant.
Hughes.	Vaughan.
Jackson.	Veatch.
	Walker.

Absent.

Adams of Harris.	Boyd.
Anderson.	Caven.
Barron.	Cunningham.
Bedford.	Daniel.
Bond.	DeWolfe.

Dunlap.	Moffett.
Dwyer.	Ratliff.
Gilbert.	Satterwhite.
Harman.	Scott.
Harrison	Terrell
of Waller.	of Cherokee.
Holder.	Terrell
Holloway.	of Val Verde.
Hoskins.	Towery.
Kayton.	Turner.
Lasseter.	Van Zandt.
Lee.	Weinert.
Leonard.	West of Cameron.
McDougald.	Wyatt.
Mathis.	Young.
Metcalf.	

Absent—Excused.

Bradley.	Hardy.
Brooks.	Hines.
Dodd.	Wiggs.
Fuchs.	

House bill No. 261 was then passed to engrossment by the following vote:

Yeas—68.

Akin.	Jones of Atascosa.
Albritton.	Justiss.
Alsup.	Kennedy.
Barron.	Laird.
Bounds.	Lemens.
Brice.	Lilley.
Bryant.	Lockhart.
Burns of Walker.	Long.
Carpenter.	McDougald.
Claunch.	McGregor.
Coltrin.	Magee.
Cox of Lamar.	Martin.
Cox of Limestone.	Moore.
Dale.	Nicholson.
Donnell.	Olsen.
Dowell.	Petsch.
Elliott.	Pope.
Engelhard.	Ray.
Farmer.	Rogers.
Farrar.	Rountree.
Finn.	Sanders.
Forbes.	Sherrill.
Ford.	Smith of Bastrop.
Giles.	Smith of Wood.
Graves.	Sparkman.
Hanson.	Steward.
Hatchitt.	Strong.
Herzik.	Sullivant.
Holland.	Tarwater.
Johnson	Vaughan.
of Dallam.	Veatch.
Johnson	Wagstaff.
of Dimmit.	Warwick.
Johnson of Morris.	West of Coryell.
Jones of Shelby.	Westbrook.

Nays—36.

Adams of Jasper.	Adkins.
Adamson.	Baker.

Beck.	Keller.
Burns	Leonard.
of McCulloch.	McCombs.
Coombes.	McGill.
Davis.	Mehl.
Duvall.	Moffett.
Ferguson.	Morse.
Goodman.	Munson.
Greathouse.	Murphy.
Harrison	O'Quinn.
of El Paso.	Patterson.
Hefley.	Ramsey.
Hill.	Reader.
Howsley.	Richardson.
Hubbard.	Savage.
Hughes.	Stevenson.
Jackson.	Walker.

Absent.

Adams of Harris.	Lasseter.
Anderson.	Lee.
Bedford.	Mathis.
Bond.	Metcalf.
Boyd.	Ratliff.
Caven.	Satterwhite.
Cunningham.	Scott.
Daniel.	Shelton.
DeWolfe.	Stephens.
Dunlap.	Terrell
Dwyer.	of Cherokee.
Fisher.	Terrell
Gilbert.	of Val Verde.
Grogan.	Towery.
Harman.	Turner.
Harrison	Van Zandt.
of Waller.	Weinert.
Holder.	West of Cameron.
Holloway.	Wyatt.
Hoskins.	Young.
Kayton.	

Absent—Excused.

Bradley.	Hardy.
Brooks.	Hines.
Dodd.	Wiggs.
Fuchs.	

Paired.

Mr. Fisher (present), who would vote "yea," with Mr. Satterwhite (absent), who would vote "nay."

Reason for Vote.

I vote "yea" on House bill No. 261 for the reason that it will raise some revenue on a foreign product that is not butter and because it will assist our dairymen. I have asked in House bill No. 651 a minimum wage for city women and girls, and to be consistent I must vote to assist our farm women and girls, who work to produce good milk and nutritious butter.

FARMER.

HOUSE BILL NO. 261 ON THIRD
READING.

Mr. Tarwater moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 261 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—84.

Adamson.	Jones of Shelby.
Akin.	Jones of Atascosa.
Albritton.	Justiss.
Alsup.	Keller.
Barron.	Kennedy.
Bounds.	Lemens.
Brice.	Leonard.
Bryant.	Lilley.
Burns of Walker.	Lockhart.
Burns	Long.
of McCulloch.	McDougald.
Carpenter.	McGregor.
Claunch.	Magee.
Coltrin.	Martin.
Cox of Lamar.	Moffett.
Cox of Limestone.	Moore.
Dale.	Morse.
Davis.	Olsen.
Donnell.	O'Quinn.
Dowell.	Petsch.
Dunlap.	Pope.
Elliott.	Ray.
Engelhard.	Rogers.
Farmer.	Rountree.
Farrar.	Shelton.
Finn.	Sherrill.
Fisher.	Smith of Bastrop.
Forbes.	Smith of Wood.
Ford.	Sparkman.
Giles.	Stephens.
Graves.	Stevenson.
Grogan.	Steward.
Hanson.	Strong.
Harman.	Sullivant.
Hatchitt.	Tarwater.
Herzik.	Van Zandt.
Holland.	Vaughan.
Howsley.	Veatch.
Hughes.	Wagstaff.
Johnson.	Walker.
of Dallam.	Warwick.
Johnson	West of Coryell.
of Dimmit.	Westbrook.
Johnson of Morris.	

Nays—21.

Adams of Jasper.	Goodman.
Adkins.	Harrison
Baker.	of El Paso.
Beck.	Hill.
Coombes.	Jackson.
Duvall.	Laird.
Ferguson.	McCombs.

McGill.	Patterson.
Mehl.	Ramsey.
Munson.	Richardson.
Murphy.	Savage.

Absent.

Adams of Harris.	Lasseter.
Anderson.	Lee.
Bedford.	Mathis.
Bond.	Metcalf.
Boyd.	Nicholson.
Caven.	Ratliff.
Cunningham.	Reader.
Daniel.	Sanders.
DeWolfe.	Satterwhite.
Dwyer.	Scott.
Gilbert.	Terrell
Greathouse.	of Cherokee.
Harrison	Terrell
of Waller.	of Val Verde.
Hefley.	Towery.
Holder.	Turner.
Holloway.	Weinert.
Hoskins.	West of Cameron.
Hubbard.	Wyatt.
Kayton.	Young.

Absent—Excused.

Bradley.	Hardy.
Brooks.	Hines.
Dodd.	Wiggs.
Fuchs.	

The Speaker then laid House bill No. 261 before the House on its third reading and final passage.

The bill was read third time.

Mr. Burns of Walker moved the previous question on the passage of the bill, and the main question was ordered.

(Speaker in the chair.)

House bill No. 261 was then passed by the following vote:

Yeas—79.

Adamson.	Dowell.
Akin.	Dunlap.
Albritton.	Elliott.
Alsup.	Engelhard.
Barron.	Farmer.
Bounds.	Farrar.
Brice.	Finn.
Bryant.	Fisher.
Burns of Walker.	Forbes.
Carpenter.	Ford.
Claunch.	Giles.
Coltrin.	Graves.
Cox of Lamar.	Grogan.
Cox of Limestone.	Hanson.
Dale.	Harman.
Donnell.	Hatchitt.

Holland.	Pope.
Hoskins.	Ray.
Hubbard.	Reader.
Johnson	Richardson.
of Dallam.	Rogers.
Johnson	Rountree.
of Dimmit.	Sanders.
Johnson of Morris.	Shelton.
Jones of Shelby.	Sherrill.
Jones of Atascosa.	Smith of Bastrop.
Justiss.	Smith of Wood.
Keller.	Sparkman.
Kennedy.	Stephens.
Laird.	Steward.
Leonard.	Strong.
Lilley.	Sullivant.
Lockhart.	Tarwater.
Long.	Van Zandt.
McGregor.	Vaughan.
Magee.	Veatch.
Martin.	Wagstaff.
Moffett.	Warwick.
Moore.	West of Coryell.
Olsen.	Westbrook.
Petsch.	

Nays—27.

Adams of Jasper.	Howsley.
Adkins.	Hughes.
Baker.	Jackson.
Beck.	McCombs.
Burns	McGill.
of McCulloch.	Morse.
Coombes.	Munson.
Davis.	Murphy.
Duvall.	Patterson.
Ferguson.	Ramsey.
Greathouse.	Satterwhite.
Harrison	Savage.
of El Paso.	Stevenson.
Hefley.	Walker.
Hill.	

Present—Not Voting.

O'Quinn.

Absent.

Adams of Harris.	Lee.
Anderson.	Lemens.
Bedford.	McDougald.
Bond.	Mathis.
Boyd.	Mehl.
Caven.	Metcalfe.
Cunningham.	Nicholson.
Daniel.	Ratliff.
DeWolfe.	Scott.
Dwyer.	Terrell
Gilbert.	of Cherokee.
Goodman.	Terrell
Harrison	of Val Verde.
of Waller.	Towery.
Herzik.	Turner.
Holder.	Weinert.
Holloway.	West of Cameron.
Kayton.	Wyatt.
Lasseter.	Young.

Absent—Excused.

Bradley.	Hardy.
Brooks.	Hines.
Dodd.	Wiggs.
Fuchs.	

Mr. Pope moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 521, A bill to be entitled "An Act giving to Fred A. West consent of the Legislature to sue the State of Texas and State Highway Commission for damages resulting from wreck of his automobile on Highway No. 36 through Bell county, Texas, and declaring an emergency."

H. B. No. 239, A bill to be entitled "An Act to create and establish Trinity River Canal and Conservancy District under authority of Section 59 of Article 16 of the Constitution of Texas, to be a governmental agency, a body politic, municipal and corporate; also stating the intent and defining certain words and expressions as used in this act, etc., and declaring an emergency."

H. B. No. 355, A bill to be entitled "An Act to amend Article 3914, Revised Civil Statutes, 1925, relating to fees collected by the Secretary of State, and declaring an emergency."

The Senate has adopted the conference committee report on Senate bill No. 311 by the following vote: yeas 30, nays 0.

Respectfully,
BOB BARKER,
Secretary of the Senate.

MOTION FOR SPECIAL ORDER.

Mr. Johnson of Morris moved that House bill No. 245 be set as a special order for 10 o'clock a. m. next Tuesday.

The motion was lost.

SPECIAL ORDER SET.

On motion of Mr. McDougald, House bill No. 964 was set as a special order for 10 o'clock a. m. next Tuesday.

RESOLUTION AND BILLS SIGNED
BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled resolution and bills:

H. C. R. No. 59, Authorizing the correcting of House bill No. 470.

S. B. No. 393, "An Act providing that the policy-holders of insurance companies, which are home companies as defined by the laws of Texas, may purchase and own the capital stock of such companies; and convert such companies into mutual insurance companies to be controlled by their policy-holders and requiring the approval of the plan for such conversion by the chairman of the State Board of Insurance Commissioners and directors and stockholders as well as the policy-holders of such companies, and declaring an emergency."

S. B. No. 539, "An Act to create Road District No. 12 of Fayette county, Texas; conferring powers, privileges and duties generally conferred upon such districts, etc., and declaring an emergency."

H. B. No. 845, "An Act providing for the employment of a rural school supervisor in counties having a population of not less than 53,900 and not more than 54,000; providing for their duties, salaries, expenses, and qualifications; providing that counties accepting the benefits of this act shall not be required to hold teachers' institutes, but providing that the county superintendent may call meetings of the teachers within his jurisdiction, and declaring an emergency."

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first, and referred to the appropriate committee, as follows:

Senate bill No. 521, to the Committee on State Affairs.

NOTICE GIVEN.

Mr. McGregor gave notice that he would, on next Monday, move to take up for consideration at that time, House bill No. 188, which bill had heretofore been laid on the table subject to call.

COMMITTEE TO ARRANGE FOR
ADDRESS BY HON. JOUETT
SHOUSE.

The Speaker announced the appointment of the following committee, on the part of the House, to arrange for the reception of Hon. Jouett Shouse:

Messrs. McCombs, Harrison of El Paso, Warwick, Wagstaff, McGregor, Keller and Beck.

RECESS.

Mr. Keller moved that the House recess to 7:30 o'clock p. m. today.

Mr. Duvall moved that the House recess to 9 o'clock a. m. tomorrow.

The motion of Mr. Keller prevailed, and the House, accordingly, at 6 o'clock p. m. took recess to 7:30 o'clock p. m. today.

NIGHT SESSION.

The House met at 7:30 o'clock p. m. and was called to order by the Speaker.

BILL LAID ON TABLE SUBJECT
TO CALL.

On motion of Mr. Adams of Jasper (by unanimous consent), House bill No. 414 was laid on the table subject to call.

RELATIVE TO LOCAL BILLS.

By unanimous consent, the House agreed to take up and consider local bills at this time.

SENATE BILL NO. 157 ON SEC-
OND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 157, A bill to be entitled "An Act to fix the salary of the superintendent of public instruction in each county in Texas having a certain population, etc., and declaring an emergency."

The bill was read second time.

Mr. Elliott offered the following amendments to the bill:

(1)

Amend Senate bill No. 157 by striking out the figures "\$3000" and substituting in lieu thereof the figures "\$2500" wherever they may occur.

(2)

Amend Senate bill No. 157, Section 1, line 3, page 1, by striking out "Federal census of 1930" and insert in lieu thereof the following: "last preceding census."

The amendments were severally adopted.

Senate bill No. 157 was then passed to third reading.

SENATE BILL NO. 410 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 410, A bill to be entitled "An Act authorizing the commissioners court of Jack county, Texas, to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, and declaring an emergency."

The bill was read second time.

Mr. Fisher offered the following amendment to the bill:

Amend Senate bill No. 410 by adding the following section:

"Section 1a. From and after the taking effect of this act, it shall be unlawful for the commissioners court of Jack county to issue or cause to be issued any warrant, scrip or other evidence of indebtedness, or to create any debt against the road and bridge fund of said county, except as authorized by this act, in excess of the current revenues of said county for road and bridge purposes; provided, that in case of great calamity said court may issue warrants against the road and bridge fund in excess of the current revenues, for the purpose of repairing roads and building bridges occasioned by such calamity, but in no instance shall such warrants exceed the limitations provided by the Constitution and laws of this State; and provided further that no warrant shall be issued for such purposes until first authorized by order passed by said court, and provided further that said order shall recite fully the necessity therefor and particularly specify the several purposes for which said warrants are to be issued, which said order shall be spread upon the minutes of said court, and shall be published at least one time in some newspaper published in Jack county before said warrants are issued. If no

newspaper is being published in said county, then in some newspaper in an adjoining county nearest the county seat of said Jack county."

The amendment was adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate bill No. 410 was then passed to third reading.

SENATE BILL NO. 506 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 506, A bill to be entitled "An Act providing that constables in precincts of a certain population, in counties of a certain population, shall not be entitled to have deputies, and providing for additional deputy sheriffs in said counties; prescribing the number and compensation of said deputies, and for their appointment, and declaring an emergency."

The bill was read second time.

Mr. Bryant offered the following amendments to the bill:

(1)

Amend Senate bill No. 506 by striking out Section 1 and substituting in lieu thereof the following:

"Section 1. That in precincts of not less than 64,420 and not more than 64,430 in counties of a population of not less than 133,300 and not more than 133,500, according to the last Federal census, the constables in such precincts shall be allowed not exceeding three (3) deputies, but in precincts in such counties of not less than 1,850 nor more than 1,865 population, the constables shall not be allowed any deputies."

(2)

Amend Senate bill No. 506 by striking out all above the enacting clause and substituting in lieu thereof the following:

A bill to be entitled "An Act providing for and limiting the number of deputy constables in precincts of certain population in counties of a certain population; providing the means and manner thereof, and declaring an emergency."

The amendments were severally adopted.

Senate bill No. 506 was then passed to third reading.

SENATE BILL NO. 510 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 510, A bill to be entitled "An Act repealing Chapter 110, Acts of the Regular Session of the Thirty-ninth Legislature, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 515 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 515, A bill to be entitled "An Act legalizing the annexation of territory embracing a fresh water supply district heretofore established to any city having a population of 150,000 or more, declaring the indebtedness of any such fresh water supply district so annexed to be the legal indebtedness of the city to which same was annexed, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 532 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 532, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city which had more than 40,000 population and fewer than 100,000 population, according to the Federal census of 1930, whether under general or special law; repealing all laws in conflict herewith, both general and special; and providing further, that this act shall not affect any such independent school district which at this time may have a larger authorized rate of taxation, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 603 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 603, A bill to be entitled "An Act to amend Chapter 78 of the Local and Special Laws enacted by the Thirty-sixth Legislature at its Regular Session in 1919, same being a special road law for Erath county, and declaring an emergency."

The bill was read second time.

Mr. Wyatt offered the following amendments to the bill:

(1)

Amend Senate bill No. 603 by adding the following section:

"Sec. 2b. From and after the taking effect of this act it shall be unlawful for the commissioners court of Erath county to issue, or cause to be issued, any warrant, scrip or other evidence of indebtedness, or to create any debt against the road and bridge fund of said county, except as authorized by this act, in excess of the current revenues of said county for road and bridge purposes; provided, that in case of great calamity said court may issue warrants against the road and bridge fund in excess of the current revenues for the purpose of repairing roads and building bridges occasioned by such calamity, but in no instance shall such warrants exceed the limitations provided by the Constitution and laws of this State; and provided further, that no warrant shall be issued for such purposes until first authorized by order passed by said court; and provided further, that said order shall recite fully the necessity therefor and particularly specify the several purposes for which said warrants are to be issued, which said order shall be spread upon the minutes of said court and shall be published at least one time in some newspaper published in Erath county before said warrants are issued. If no newspaper is being published in said county, then in some newspaper in an adjoining county nearest the county seat of said Erath county."

(2)

And amend caption to conform with the body of the bill.

The amendments were severally adopted.

Senate bill No. 603 was then passed to third reading.

HOUSE BILL NO. 284 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 284, A bill to be entitled "An Act to fix the salary of the superintendent of public instruction in each county in Texas having a population of not less than 13,388 nor more than 13,393 according to the Federal census of 1930; providing for office assistants and salaries; providing for office expenses; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

On motion of Mr. Elliott the bill was laid on the table subject to call.

HOUSE BILL NO. 1039 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1039, A bill to be entitled "An Act to amend House bill No. 94 as passed by the Forty-second Legislature, fixing the salary of the county superintendent of public instruction and the county board of school trustees in each county in Texas having a population of not less than 18,425 nor more than 18,435, according to the last preceding Federal census, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 904 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 904, A bill to be entitled "An Act amending Article 2688, Revised Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1046 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1046, A bill to be entitled "An Act providing for the employment of rural school supervisors in

certain counties in lieu of teachers' institutes; prescribing the duties of said supervisors; prescribing salaries to be paid such supervisors; providing other things incidental to the purpose of this act, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

BILL LAID ON THE TABLE.

On motion of Mr. Patterson, House bill No. 837 was laid on the table.

HOUSE BILL NO. 1050 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1050, A bill to be entitled "An Act applying to Johnson county, Texas, making it unlawful to seine, catch, or possess minnows for sale or commercial purposes, and making possession of two hundred minnows prima facie evidence of guilt; making it unlawful to catch, any fish between March 1 and May 1; making it unlawful to possess any catfish nine inches or less in length, and requiring catfish under said length to be liberated; prescribing penalties, and declaring an emergency."

The bill was read second time.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 1050 by adding "Ellis county" after "Johnson county" wherever "Johnson county" appears in the bill.

The amendment was adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 1050 was then passed to engrossment.

HOUSE BILL NO. 349 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 349, A bill to be entitled "An Act fixing the salary of the county superintendent of public instruction in a certain class of counties classified according to population, said salary to be paid in the same manner and out of the same funds

as provided for county superintendent under the laws of this State, and declaring an emergency."

The bill was read second time.

Mr. Grogan offered the following amendments to the bill:

(1)

Amend House bill No. 349 by substituting for Section 1 the following:

"The salary of the county superintendent of public instruction in every county of this State having a population of not less than 19,850 and not more than 19,880, according to the 1930 United States census, may be fixed by the county board of education in any sum not exceeding \$2400 per year, and in addition thereto the county superintendent of such county shall be paid \$300 in addition to that now provided by law for traveling expenses pertaining to said office, all of which shall be paid out of the same fund, and in the same manner as provided by the laws of this State in reference to the salary of county superintendents."

(2)

Amend House bill No. 349, Section 1, line 4, page 1, by striking out "1930 United States census" and insert in lieu thereof the following: "last preceding Federal census."

The amendments were severally adopted.

By unanimous consent of the House the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House bill No. 349 was then passed to engrossment.

HOUSE BILL NO. 1017 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1017, A bill to be entitled "An Act amending Chapter 44, Acts Regular Session, Forty-first Legislature, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 588 ON SECOND READING.

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 588, A bill to be entitled "An Act to provide for the investment of the permanent funds of the Texas School for the Blind, Texas School for the Deaf, Austin State Hospital, State Orphan Home and other permanent funds the investment of which is not otherwise provided for, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 575 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 575, A bill to be entitled "An Act to require the officials of all counties, cities and towns, school districts and all other local units of government within the State, where taxes are levied and collected, to make such reports as may be required by the county auditor, if there be a county auditor, and if not then to the county clerk, showing the amount of taxes collected, the amount of taxes delinquent, the amount of money on hand to the credit of sinking funds to retire bonded indebtedness, and the amount of outstanding bonded indebtedness, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 518 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 518, A bill to be entitled "An Act to amend Article 6823 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 519 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 519, A bill to be entitled "An Act to amend Article 821 of the Penal Code of the State of Texas of 1925, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 520 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 520, A bill to be entitled "An Act providing for the making of daily reports of the use of State-owned automobiles and trucks; prescribing rules and regulations and defining certain offenses, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 230 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 230, A bill to be entitled "An Act providing that all the provisions of the laws of this State applicable to the life, fire, marine, inland, lightning, tornado or casualty insurance companies shall, so far as the same are applicable, govern and apply to all companies transacting any other kind of insurance business in this State so far as they are not in conflict with provisions of law made specially applicable thereto, and declaring an emergency."

The bill was read second time.

Mr. Justiss offered the following amendments to the bill:

(1)

Amend House bill No. 230 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. No director, officer or manager of any incorporated stock insurance company, mutual, reciprocal or Lloyds, transacting the business of fire or casualty insurance in Texas, whether the same be organized under the laws of this or any other State, shall receive any money or valuable thing for negotiating, procuring, recommending or aiding in any purchase or sale by such insurance company, Lloyds or reciprocal, of any property, or any loan therefrom, nor be pecuniarily inter-

ested, either as principal, co-principal, agent or beneficiary in any such purchase, sale or loan.

"Sec. 2. No directory, member of a committee, officer or clerk of any stock insurance company, mutual company, Lloyds or reciprocal, engaged in fire and casualty insurance business in this State, who shall be charged with the duty of handling or investing its funds, shall deposit or invest the same except in the corporate or firm name of such insurance company, Lloyds or reciprocal; nor borrow the funds thereof, nor be interested in any way in any loan, pledge, security or property of such company, Lloyds or reciprocal, individually, nor take or receive to his own use any fee, brokerage, commission, gift or other consideration for or on account of a loan made by or on behalf of such company, Lloyds or reciprocal.

"Sec. 3. The Board of Insurance Commissioners shall forthwith cancel the permit of any such insurance company, Lloyds or reciprocal, whose officers, directors or managers shall violate any of the provisions of this act."

(2)

Amend House bill No. 230 by striking out all above the enacting clause and inserting in lieu thereof the following:

"A bill to be entitled 'An Act to prohibit a director, officer or manager of a company, Lloyds or reciprocal, engaged in the fire or casualty insurance business from receiving any remuneration in connection with any purchase, sale or loan, deposit or investment, by such company, Lloyds or reciprocal, and prohibiting investments or deposits except in the name of such company, Lloyds or reciprocal, and providing for the cancellation of the company's license in case of violation.'"

The amendments were severally adopted.

House bill No. 230 was then passed to engrossment.

HOUSE BILL NO. 493 ON SECOND READING.

The Speaker laid before the House, and its second reading and passage to engrossment,

H. B. No. 493, A bill to be entitled "An Act to amend Articles 4371, 4372,

4380, 4381, 4382, 4385, 4390, 4391, 4392 and 4393, and also Article 4388 as amended by Chapter 73, page 230, of the General Laws of the Fifth Called Session of the Forty-first Legislature, and to repeal Article 4387, all of said articles being from Chapter 3 of Title 70, Revised Civil Statutes of 1925, relating to the Department of State Treasurer, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 495 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 495, A bill to be entitled "An Act to amend Articles 4350, 4353, 4354, 4355, 4357, 4358, 4359, 4363 and 4364, Chapter 2, of Title 70, Revised Civil Statutes of 1925, relating to system and methods of the Department of the Comptroller of Public Accounts, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

BILL LAID ON THE TABLE SUBJECT TO CALL.

On motion of Mr. Johnson of Dimmit (by unanimous consent), House bill No. 891 was laid on the table subject to call.

RECESS.

On motion of Mr. Veatch, the House at 9:20 o'clock p. m. took recess to 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Appropriations: House bill No. 921 and Senate bill No. 263.

Banks and Banking: Senate bills Nos. 328, 240, 322 and 327.

Criminal Jurisprudence: Senate bills Nos. 149, 201, 341, 346, 542 and 601.

Judicial Districts: Senate bill No. 512.

State Affairs: Senate bill No. 466.

Revenue and Taxation: Senate bill No. 348.

Public Lands and Buildings: Senate concurrent resolution No. 45 and Senate bill No. 612.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, May 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 332, "An Act to amend Section 16a of Article 8308, Revised Statutes of 1925, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 26, Proposing an amendment to Article 6 of the Constitution of the State of Texas by adopting a new section, which shall provide that only qualified electors owning taxable property in the State, county, district, political subdivision, city, town or village where the election is held and which has been duly rendered for taxation shall be qualified to vote at elections held for the purpose of issuing bonds or otherwise lending credit, or expending money or assuming debt therein,

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,
Austin, Texas, May 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 59, Authorizing certain corrections in House bill No. 470,

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

Committee Room,
Austin, Texas, May 8, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 845, "An Act providing for the employment of a rural school supervisor in counties having a popu-

lation of not less than fifty-three thousand nine hundred (53,900), and not more than fifty-four thousand (54,000); providing for their duties, salaries, expenses and qualifications; providing that counties accepting the benefits of this act shall not be required to hold teachers' institute, but providing that the county superintendent may call meetings of the teachers within his jurisdiction, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

BOUNDS, Vice-Chairman.

FIFTY-SECOND DAY.

(Continued.)

(Saturday, May 9, 1931.)

The House met at 9 o'clock a. m., and was called to order by Speaker Minor.

EXTENDING USE OF THE HALL.

Mr. Sherrill offered the following resolution:

Whereas, The State Board of Medical Examiners will meet in Austin for the purpose of holding medical examinations on June 23, 24 and 25, 1931; therefore, be it

Resolved, That they shall be granted the use of the House of Representatives for the purpose of holding said examinations; and be it further

Resolved, That they shall be granted the use of the Hall of the House of Representatives for three days in June, 1932, said dates to be arrived at through an agreement between the Board of Medical Examiners and the Board of Control.

SHERRILL,
DUVALL.

The resolution was read second time, and was adopted.

HOUSE BILL ON FIRST READING.

The following House bill, introduced today (by unanimous consent), was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Sanders:

H. B. No. 1053, A bill to be entitled "An Act making an emergency appropriation of money to the State Treas-

urer; providing the purposes thereof, the means and manner of expenditure, and declaring an emergency."

Referred to the Committee on Appropriations.

PROVIDING FOR PRESENTATION OF BUST OF GEORGE WASHINGTON.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 47, Providing for presentation of bust of George Washington.

Whereas, On February 22, 1932, the passing years will have rounded out two full centuries since the birth of George Washington, the Father of our Country; and

Whereas, The last Congress of the United States enacted a law which provided, among other things, "that the people should observe the celebration of the two hundredth anniversary of the birth of George Washington, in order that future generations of American citizens may live according to the example and precepts of his exalted life and character and thus perpetuate the American Republic;" and

Whereas, In pursuance of this laudable undertaking the Congress of the United States has appropriated over eight hundred thousand dollars to carry this celebration to a successful conclusion; and

Whereas, Congress created the "United States George Washington Bicentennial Commission," composed of the President of the United States as chairman; the Vice-President, the Speaker of the House of Representatives, four members of the Senate and four members of the House of Representatives and other prominent citizens; and

Whereas, The government of the United States, through its bicentennial commission, is anxious to procure the whole-hearted co-operation of the public officials and the people of every State in the Union; and

Whereas, As a silent though eloquent request for that co-operation, the Federal Government, through the bicentennial commission, is presenting to the Governor of each State a bust of George Washington; and

Whereas, The bust for His Excellency, the Hon. Ross Sterling, Gov-